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Counsel for Defendant JARACUARO-ARELLANO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-10-00479-JF
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING HEARING DATE
vs.)	AND EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
JAVIER JARACUARO-ARELLANO,)	
)	
Defendant.)	
)	

STIPULATION

Defendant Javier Jaracuaro-Arellano, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Special Assistant United States Attorney Bradley D. Price, hereby stipulate that, with the Court's approval, the status hearing date currently scheduled for Thursday, August 12, 2010, shall be continued to Thursday, August 26, 2010, at 9:00 a.m.

The reason for the requested continuance is that defense counsel requires additional time to confer with Mr. Jaracuaro-Arellano about the additional discovery provided pertaining to his prior removal proceedings and to discuss the proposed plea agreement.

The parties therefore agree that the time between August 12, 2010, and August 26, 2010

1 is excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective
2 preparation.

3 IT IS SO STIPULATED.

4 Dated: August 11, 2010

5 _____/s/_____
VARELL L. FULLER
6 Assistant Federal Public Defender

7 Dated: August 11, 2010

8 _____/s/_____
BRADLEY D. PRICE
9 Special Assistant United States Attorney

10 ~~[PROPOSED]~~ **ORDER**

11 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
12 ORDERED that the hearing currently set for August 12, 2010, shall be continued to Thursday,
13 August 26, 2010, at 9:00 a.m.

14 THE COURT FINDS that failing to exclude the time between August 12, 2010, and
15 August 26, 2010, would unreasonably deny defense counsel reasonable time necessary for
16 effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
17 3161(h)(7)(B)(iv).

18 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
19 between August 12, 2010, and August 26, 2010, from computation under the Speedy Trial Act
20 outweigh the interests of the public and the defendant in a speedy trial.

21 THEREFORE, IT IS HEREBY ORDERED that the time between August 12, 2010, and
22 August 26, 2010, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
23 3161(h)(7)(A) and (B)(iv).

24 IT IS SO ORDERED.

25 Dated: 8/11/10

26 

THE HONORABLE JEREMY FOGEL
United States District Court Judge